(4) (1)

SINGLE BENCH

CP 1202

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

W.P.C. No. 195 …../07

PETITIONER : E.Ramendra Rao S/o E.Nageshwar Rao
Aged about 45 Years, R/o Link Road,
Bilaspur
Tahsil & District Bilaspur (C.G.)

P.R. No. 8691/07 Received by Registry Bilaspur Dated 31/1/07

VERSUS

RESPONDENTS : 1) C.G. State Cooperative Bank Limited,
Through Branch Manager, Bilaspur
Branch, Nehru chowk, bilaspur
Tahsil & District Bilaspur (C.G.)
2) Branch Manager
C.G. State Cooperative Bank Limited
Bilaspur Branch
Nehru Chowk, Bilaspur (C.G.)
Tahsil & District Bilaspur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

XI-HC-22

(19) (20)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P.(C) 195/07.

आदेश पत्रक

मामला क्रमांक W.P.(C) No. PR 869/ **सन्** **200** 7

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

02.02.2007

On being mentioned, the matter is taken-up for hearing.

Shri Rajeev Bharat, counsel for the petitioner.

None for the respondents.

Heard.

The impugned measures taken by the bank under Section 13 (4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (henceforth " the Act") is appealable under Section 17 of the Act. Instead of challenging the said auction proceedings before the appellate Court, the petitioner has moved this Court. When statutory remedy is available with the petitioner, I am of the view that in the facts and circumstances of the case, this is not an exceptional one in which this Court should step in under Article 226 of the Constitution.

In the result, the petition deserves to be dismissed summarily and is accordingly dismissed.

In the light of above order, M.(W.)P.No.402/2007 & IA No.960/2007 stand disposed of.

Sd/-
V.K.Shrivastava
Judge

padma

(पीछे देखिये)